

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JASON LEE NIEMAN,

Plaintiff,

v.

Case No. 12-MC-68

GRANGE MUTUAL CASUALTY COMPANY,

Defendant.

ORDER GRANTING MOTION TO QUASH SUBPOENAS

On October 26, 2012, Defendants in the above matter moved to quash the subpoenas issued by this court at the request of the pro se plaintiff in an underlying age discrimination lawsuit currently pending in the United States District Court for the Central District of Illinois under Case No. 11-CV-3404. Defendants contend that the subpoenas should be quashed because they compel the attendance of the third party witnesses for depositions in the underlying case and the discovery period in that action has expired. Defendants also claim that Plaintiff had engaged in a pattern of harassment and intimidation in the manner in which he conducted the litigation before the district court in Illinois.

Based upon these allegations, the Court directed the plaintiff to show cause why the subpoenas should not be quashed. Plaintiff submitted an eleven-page response and seventy-four pages of attachments, none of which appear to address the question of whether or not the discovery period in the underlying action has expired. Based upon the foregoing, Defendant's motion to quash the subpoenas will be granted. If Plaintiff believes that he should be entitled to conduct the

depositions as part of the discovery in the underlying action, he needs to raise the issue before the trial judge presiding in that case. As it appears from the record before this court, it appears that Plaintiff is seeking to circumvent the trial court's order by conducting discovery after the time to do so has expired. Under these circumstances, the court concludes that Defendants are entitled to the relief sought. Accordingly, the motion is GRANTED and the subpoenas issued by this Court are quashed.

Dated this 16th day of November, 2012.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court